

Town Board Minutes

**Meeting
No. 13**

Special Meeting

May 20, 1996

MEETINGS TO DATE 13
NO. OF REGULARS 9
NO. OF SPECIALS 4

LANCASTER, NEW YORK
MAY 20, 1996

A joint meeting of the Town Board and the Planning Board of the town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 20th day of May 1996, at 6:15 P.M. and there were

PRESENT: ROBERT GIZA, SUPERVISOR
DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
REBECCA ANDERSON, PLANNING BOARD CHAIRMAN
FRANK DE CARLO, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: JOHN GOBER, PLANNING BOARD MEMBER
DAVID MARRANO, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT THILL, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one action.

**IN THE MATTER OF THE SEQR REVIEW OF THE
CRACKER BARRELL COUNTRY STORE SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Cracker Barrel Country Store site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER ANDERSON, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
CRACKER BARREL COUNTRY STORE SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 3.559 acres.

The location of the premises being reviewed is situate at 6643 Transit Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.

No adverse effects noted

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No adverse effects noted

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy).
No adverse effects noted

- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____
Robert H. Giza, Supervisor
Town of Lancaster

SEAL

May 20, 1996

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and
and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED WAS ABSENT
PLANNING BOARD MEMBER MARRANO	VOTED WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

May 20, 1996

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 6:30 P.M.

Robert P. Thill

Robert P. Thill, Town Clerk

Town Board Minutes

Meeting No. 14

Regular Meeting

May 20, 1996

MEETINGS TO DATE 14
NO. OF REGULARS 10
NO. OF SPECIALS 4

LANCASTER, NEW YORK
MAY 20, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 20th day of May 1996 at 8:00 P.M. and there were

PRESENT: DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
JOHANNA COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR

EXECUTIVE SESSION:

At 10:00 P.M. the Town Board went into Executive Session for the announced purpose of discussing pending contract negotiations with the CSEA Local Highway Unit.

At 11:15 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Baehre, Diane, 5755 Genesee Street, spoke to the Town Board on the following matters:

- a) Relocation of Williamsville Toll Barrier east of Ransom Rd.
- b) Status of Town Master Plan.
- c) Green space on Genesee Street as promised by Buffalo Crushed Stone.

Bastian, Norman, 5747 Genesee Street, spoke to the Town Board on the following matter:

- a) Complained of an unlicensed truck being parked at the corner of Genesee Street and Harris Hill Road with sign advertising Adams Nursery.

Dale, David, Attorney, 5121 William Street, spoke to the Town Board on the following matters:

- a) Drainage problems on his property caused by the development of Hunters Creek North Subdivision.
- b) Complained of an illegal illuminated sign advertising Hunters Creek North Subdivision.

Palmeri, Kandy, 5815 Genesee Street, spoke to the Town Board on the following matters:

- a) Requested further information on communication number 362.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matter:

- a) Drainage problems on the south end of Stony Road at and near his home.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

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At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the application of Richard D. Zarbo for a Special Use Permit for a Home Occupation (Gun Shop) on premises locally known as 357 Stony Road, Town of Lancaster, County of Erie, State of New York.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner and the Erie County Division of Planning notifying them of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "No Recommendation"

PROPONENTS

ADDRESS

Richard D. Zarbo, the petitioner , 357 Stony Road

OPPONENTS

ADDRESS

None

COMMENTS & QUESTIONS

ADDRESS

None

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.

PUBLIC HEARING SCHEDULED FOR 9:00 P.M.:

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At 9:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon the rezone petition of Robert D. Alonzo, the agent for Randall Benderson 1993-1 Trust, for rezone of property located on the southeast corner of Transit Road and Wehrle Drive in the Town of Lancaster, New York, from a R1-Residential District One, to a GB-General Business District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Erie County Division of Planning, property owners of record within 200 feet of the proposed rezone site, and the Town Clerks of the Towns of Amherst, Clarence and Cheektowaga, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPOSERS

ADDRESS

N.B.-1-

OPPOSERS

ADDRESS

Janet Lipa
Richard Reese, Jr.
Robert Naab
Frances Martin
Anthony Distefano

2667 Wehrle Drive
2659 Wehrle Drive
2671 Wehrle Drive
175 N. Maple Drive
226 N. Maple Drive

COMMENTS & QUESTIONS

ADDRESS

Ethel Hutchinson
Emilie Crawford
Anthony Gallo
Andy Andrusz
Joseph Scarpace

4925 Transit Road
22 Wainwright Court
14 Wainwright Court
6 Wainwright Court
34 Wainwright Court

ON MOTION BY COUNCIL MEMBER KWAK, AND SECONDED BY COUNCIL MEMBER MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was adjourned until 8:30 P.M. on June 3, 1996 when further comments will be taken.

N.B.-1- The petitioner was present at 6:00 P.M. for a SEQR presentation which was cancelled and apparently assumed that this public hearing was also cancelled and thus did not appear for a presentation to the Town Board and the public. The Town Board therefore, took comments from the public and adjourned this hearing until 8:30 P.M. on June 3, 1996.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board
held on May 6, 1996 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
STEMPNIAK, TO WIT:

WHEREAS, Eleanor D. Kucharski, First Deputy Town Clerk of the Town of Lancaster, was assigned additional duties by the Town Clerk of the Town of Lancaster on August 1, 1994, namely direct supervision of the Second and Third Deputy Town Clerks, plus supervision of two part time clerks, and

WHEREAS, the Town Clerk has recommended a \$1,000.00 salary increase for Eleanor D., Kucharski, retroactive to January 1, 1996, and

WHEREAS, funds are currently provided in the 1996 Town Clerk's budget for this salary increase, and

WHEREAS, the Town of Lancaster White Collar Unit No. 815 has agreed to the salary increase request for Eleanor D. Kucharski, Deputy Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted by the Town Board on January 1, 1996 setting the salary of Eleanor D. Kucharski for the year 1996 be and is hereby amended by deleting the stated salary of \$31,837.00 and substituting therefore a new 1996 salary of \$32,837.00.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER , TO WIT:

RESOLVED, that the following individuals be and hereby are appointed
members of the Town of Lancaster Youth Bureau for the period June 1, 1996 to May 31, 1997:

Rev. John A. Swanson, Chairman
Maureen Beechler
Nancy Buscaglia
Timothy Domino
Carol Faulhaber
Doris Ann Huber
Mary C. Jagiello
Jonathan Legg
Mary Long
Joseph Maciejewski
Daniel Paveljack
Susan Petherick
Daniel Rinow
Claire Schlum
Mark Skowron
Jennifer Sonnenfeld
Riiccardo Zuppelli

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED BY
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER, TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster, by letter sated April 30, 1996, has informed the Town Board of the need for an Assistant Dog Control Officer/Enumerator for the 1996 Summer Dog Census Program, and

WHEREAS, by same letter, the Dog Control Officer has recommended the appointment of Timothy McKernan, 92 Kurtz Avenue, Lancaster, New York 14086 to the aforementioned position of Dog Control Assistant/Enumerator, and

WHEREAS, it in the public interest to hire a dog enumerator in order to insure the proper licensing of unlicensed dogs in the town of Lancaster, all of which recommendations are set forth in the letter from the Dog Control Officer dated April 30, 1996,

NOW, THEREFORE, BE IT

RESOLVED, that **TIMOTHY D. MC KERNAN**, 94 Kurtz Avenue, Lancaster, New York 14086, be and is hereby appointed to the temporary position of Dog Control Assistant/Enumerator, for the period June 3, 1996 through August 31, 1996, specifically for the purpose of working on the dog enumeration in the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the salary for this position is \$7.00 per hour as set forth in the 1996 Schedule of Salaries, said hours not to exceed forty (40) hours per week.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

FILE: RPERS.DCO

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR .TO WIT:

WHEREAS, the Receiver of Taxes of the Town of Lancaster, by letter dated May 9, 1996, has requested permission to attend the Annual Seminar for Tax Collecting Officers in Lake George, New York from June 9th through June 12th, 1996,

NOW, THEREFORE, BE IT

RESOLVED, that **Johanna M. COLEMAN**, Receiver of Taxes and Assessments of the Town of Lancaster be and is hereby authorized to attend the Annual Seminar for Tax Collecting Officers in Lake George, New York from June 9th through June 12th, 1996 and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$595.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: RSEMMTGS (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, Glenhollow Associates No. 1, 1025 French Road, Cheektowaga, New York, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within GlenHollow, Phase IIC,

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Applications Nos. 436, 437 and 438 of Glenhollow Associates No. 1 of 1025 French Road, Cheektowaga, New York, for the installation of:

P.I.P. No. 436 (Storm Sewer)	(Sublots 20 to 32 and 86 to 109). Installation of 1,596 LF, 6"; 1,587 LF, 12"; 398 LF, 15"; 178 LF, 18"; 12 ea. Street Receivers; 5 ea., Storm Manholes; 6 ea., Light Duty Receivers; 15 ea. Backyard Receivers.
P.I.P. No. 437 (Water Line)	(Sublots 20 to 32 and 86 to 109). Installation of 1,925 LF 8" Waterline, 2 ea Town of Lancaster Hydrant Assemblies, and all required appurtenances.
P.I.P. No. 438 (Pavement and Curb)	(Sublots 20 to 32 and 86 to 109). Installation of 3,323 LF of 20" Upright Curb with Underdrain and 41,900 SF of Asphalt Pavement (8", 4", 2" and 1").

be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: RPIP (P10)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER, TO WIT:

WHEREAS, Town Justice Timothy J. Dwan and Town Justice J. Michael Kelleher, by letter dated May 7, 1996, have requested the appointment of Adrienne M. Graber to the position of Clerk-Typist, full time, in the Office of the Town Court of the Town of Lancaster, and

WHEREAS, the current list for the position of Clerk-Typist has been duly canvassed by Judge Dwan and Judge Kelleher, and Adrienne M. Graber qualifies for appointment to this position pursuant to the procedures as set forth in the Civil Service Law, and

WHEREAS, a vacancy exists in the position of Clerk-Typist, full-time, in the Office of the Town Court of the Town of Lancaster due to the transfer of Marsha Cox,

NOW, THEREFORE, BE IT

RESOLVED, that **ADRIANNE M. GRABER**, 4 Fox Hunt Road, Lancaster, New York 14086, be and is hereby appointed to the position of Clerk-Typist, full time, in the Office of the Town Court of the Town of Lancaster, effective May 20, 1996, and

BE IT FURTHER

RESOLVED, that the salary of **ADRIANNE M. GRABER** be and is hereby set at \$25,333.00 as set forth in the 1996 Schedule of Salaries for said position, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY, COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

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WHEREAS, EDWARD E. LEWIS, 138 Wellington Road, Buffalo, New York, the contract vendee of a parcel of property located on the north side of Broadway, west of Cemetery Road, and east of Bowen Road in the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property from a GB-General Business District and AR-Agricultural Residential District to an MFR-3 - Multifamily Residential District Three, and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of June 1996, at 8:30 o'clock P.M., Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant top Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: rrezctry.

**LEGAL NOTICE
PUBLIC HEARING
REZONE - COUNTRY MANSIONS
TOWN OF LANCASTER**

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LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 20th day of May, 1996, the said Town Board will hold a Public Hearing on the 3rd day of June, 1996, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a GB-General Business District and AR-Agricultural District to an MFR-3:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 1, Section 7, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the north line of Broadway, such point being 945 feet westerly of the intersection of the north line of Broadway with the centerline of Cemetery Road;

THENCE northerly at an exterior angle of 96 degrees, 31 minutes, 30 seconds a distance of 153.77 feet;

THENCE northerly at a deflection angle of 6 degrees, 1 minute, 55 seconds a distance of 1526.74 feet;

THENCE easterly at an interior angle of 87 degrees, 56 minutes, 37 seconds a distance of 298.6 feet;

THENCE southerly at an interior angle of 88 degrees, a distance of 1600.78 feet to the north line of Broadway as widened;

THENCE westerly along the north line of Broadway at an interior angle of 103 degrees, 49 minutes, 13 seconds, a distance of 263 feet to an angle point therein;

THENCE westerly continuing along the north line of Broadway 25.91 feet to the place of beginning.

This parcel containing 11.18 acres, more or less.

This parcel designated by S.B.L. No. 116.00-1-11, being the premises locally known as 5844 Broadway, Lancaster, Erie County, New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

May 20, 1996

BY: ROBERT P. THILL
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o empowers municipal corporations (defined in Article 5-G, Section 119-n to include school districts, board of cooperative educational services, cities, towns and villages) and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, the Town of Lancaster wishes to invest certain of its available investment funds in cooperation with other municipal corporations and/or districts pursuant to a municipal cooperation agreement; and

WHEREAS, the Town of Lancaster wishes to assure the safety and liquidity of its funds;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby approve and authorize the Supervisor to execute the Municipal Cooperation Agreement with MBIA Municipal Investors Service Corporation - Cooperative Liquid Assets Security System ("MBIA CLASS").

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: raclass

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR , TO WIT:

WHEREAS, the County of Erie Department of Health will undertake compliance
will undertake compliance checks involving sale of tobacco products, and

WHEREAS, the County has submitted a proposal to the Town of Lancaster, whereby
the Town Police Department will be involved with the compliance effort and the Town will
receive one-half of the fines collected from violators, and

WHEREAS, the Chief of Police of the Town of Lancaster has reviewed the proposed
contract and requests Town Board authorization for participation by the Town of Lancaster
Police Department;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the proposal
submitted by the County of Erie whereby the Town Police Department will be involved with
compliance checks of merchants who sell tobacco products, in conjunction with Operation
Protect Kids - 1996 through December, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: ragtob.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECCNDED BY
COUNCIL MEMBER MILLER , TO WIT:

WHEREAS, the State of New York Task Force on Integrated Projects for Youth and Chemical Dependency offers grant monies through the Law Environment Education Partnership grant program for the purpose of providing monies for before and after school activities, and

WHEREAS, the Town's Youth Department, Town Police Department, Lancaster School District, and the Boys and Girls Club of Lancaster propose to enter into a partnership for the purpose of implementing a series of before and after school activities; and

WHEREAS, the purpose of this project is to provide the Town's youth with recreational, instructional, cultural, and artistic programs which reduce substance abuse and violence in schools and the community;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application for said funding, and
- 2 That the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: rgryuth

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, the Town of Lancaster and the Village of Depew have determined that it is
in the public interest for the Town of Lancaster Dog Control Officer to perform certain services
for the Village of Depew involving dog control, and

WHEREAS, the Town of Lancaster and the Village of Depew have negotiated an
agreement setting forth the terms and conditions thereof;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized
to execute an Agreement with the Village of Depew setting forth the terms and conditions for
the performance of certain services for the Village of Depew involving dog control.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MILLER, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated May 8, 1996, has requested the addition of the following members to the membership roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department, Inc. of the following individuals:

ADDITIONS

James R. Wolski
42 Cowing Street
Depew, New York 14043

Wilson Wild
261 Westwood Road
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY , COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR , TO WIT:

Page 436

WHEREAS, a Public Hearing was held on the 6th day of May, 1996, on the Petition of **TRANSIT REHM ASSOCIATES**, 6495 Transit Road, Bowmansville, New York, 14026, for the rezone of certain property located on the east side of Transit Road, south of Pleasant View Drive and north of Rehm Road (N.E. Corner of Transit and Rehm Road) in the Town of Lancaster, New York, from an R1-Residential District One, to a GB-General Business District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an R1-Residential District One to a GB-General Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 11, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

COMMENCING, at a point in the northerly line of Rehm Road, (49.5 feet wide) at the southwest corner of land conveyed to Hillview Baptist Church by deed recorded in Erie County Clerk's Office in Liber 8936, Page 30;

THENCE north along the westerly line of Liber 8936, Page 30, 220 feet more or less to a point in the current zoning line and the point of beginning;

THENCE continuing northerly along the westerly line of lands of Hillview Baptist Church, John & Florence Gierlinger by deed recorded in Erie County Clerk's Office in Liber 3396, Page 13, and the current zoning line, 572.76 feet to a point;

THENCE easterly along the current zoning line, 200.23 feet to a point;

THENCE northerly along the current zoning line, through the lands of John & Florence Gierlinger, Max & Marie Winklehofer by deed recorded in Erie County Clerk's Office in Liber 9331, Page 187, 470.65 feet more or less to a point in the northerly line of Max & Maria Winklehofer;

THENCE easterly along the northerly line of Max & Maria Winklehofer 552.38 feet to a point;

THENCE southerly through the lands of Max & Maria Winklehofer, John & Florence Gierlinger, 673.20 feet to a point in the northerly line of the aforementioned Hillview Baptist Church;

THENCE westerly along the northerly line of Hillview Baptist Church, 713.11 feet to a point;

THENCE southerly through the lands of Hillview Baptist Church, parallel with the westerly line of Hillview Baptist Church, 372.26 feet to a point;

THENCE westerly along the current zoning line, 50.01 feet to the point of beginning.

The above parcel is part of that tract of land bounded on the north by Hillview Elementary School, on the east by Hillview subdivision, on the south by Hillview Baptist Church and on the west by Transit Road.

2. That said Ordinance Amendment be added in the minutes of the Town Board of the Town of Lancaster held on the 20th day of May, 1996.

3. That a certified copy thereof be published in the Lancaster Bee on or before the 23rd day of May, 1996.

4. That Affidavits of Publication be filed with the Town Clerk; and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
TRANSIT REHM ASSOCIATES

LEGAL NOTICE IS HEREBY GIVEN that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an R1-Residential District One to GB-General Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 11, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

COMMENCING, at a point in the northerly line of Rehm Road, (49.5 feet wide) at the southwest corner of land conveyed to Hillview Baptist Church by deed recorded in Erie County Clerk's Office in Liber 8936, Page 30;

THENCE north along the westerly line of Liber 8936, Page 30, 220 feet more or less to a point in the current zoning line and the point of beginning;

THENCE continuing northerly along the westerly line of lands of Hillview Baptist Church, John & Florence Gierlinger by deed recorded in Erie County Clerk's Office in Liber 3396, Page 13, and the current zoning line, 572.76 feet to a point;

THENCE easterly along the current zoning line, 200.23 feet to a point;

THENCE northerly along the current zoning line, through the lands of John & Florence Gierlinger, Max & Marie Winklehofer by deed recorded in Erie County Clerk's Office in Liber 9331, Page 187, 470.65 feet more or less to a point in the northerly line of Max & Maria Winklehofer;

THENCE easterly along the northerly line of Max & Maria Winklehofer 552.38 feet to a point;

THENCE southerly through the lands of Max & Maria Winklehofer, John & Florence Gierlinger, 673.20 feet to a point in the northerly line of the aforementioned Hillview Baptist Church;

THENCE westerly along the northerly line of Hillview Baptist Church, 713.11 feet to a point;

THENCE southerly through the lands of Hillview Baptist Church, parallel with the westerly line of Hillview Baptist Church, 372.26 feet to a point;

THENCE westerly along the current zoning line, 50.01 feet to the point of beginning.

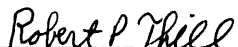
The above parcel is part of that tract of land bounded on the north by Hillview Elementary School, on the east by Hillview subdivision, on the south by Hillview Baptist Church and on the west by Transit Road.

May 20, 1996

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY that I ROBERT P. THILL, Town Clerk of the Town of Lancaster, in the said County of Erie, have compared the foregoing copy of NOTICE OF AMENDMENT TO ZONING ORDINANCE AND ZONING MAP with the original thereof filed in my office at Lancaster, New York on the 20th day of May, 1996 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 20th day of May, 1996.


Robert P. Thill
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Engineer has recommended certain drainage improvements in
the Town of Lancaster, and

WHEREAS, the Town Board of the Town of Lancaster has, after review and
consideration determined that it is in the public interest to cause such drainage improvements
and ditch cleaning to be performed, and

WHEREAS, the Town Board further deems it in the public interest to advertise for bids
for such work;

NOW, THEREFORE, BE IT

RESOLVED, that a Notice to Bidders, in form attached hereto and made a part hereof,
be published in the Lancaster Bee, the Official Newspaper, and be posted according to Law, that
the Town will receive bids up to 10:00 A.M., Local Time, June 11, 1996, in the Town Hall, 21
Central Avenue, Lancaster, New York, for drainage improvement and ditch cleaning in the
Town of Lancaster, in accordance with specifications prepared by the Town Engineer, on file in
the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened and read aloud by the Town Clerk or designated representative of the Town of Lancaster, on the 11th day of June, 1996 at 10:00 A.M. , Local Time, in the Town Hall, 21 Central Avenue, Lancaster, New York, for drainage improvements and ditch cleaning.

All proposals will be received in accordance with the Contract Documents and specifications prepared by the Town of Lancaster. A copy of such plans and specifications is on file with the Town Clerk at his office in the Town Hall, 21 Central Avenue, Lancaster, New York, where the same may be examined and obtained during their usual business hours.

Copies of the contract documents required for review or bidding purposes may be obtained at the office of the Town Clerk of the Town of Lancaster, 21 Central Avenue, Lancaster, New York, upon deposit of \$25.00 for each set of documents so obtained. The full amount of the deposit for one set of documents and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the Town of Lancaster, and who also returns the documents in good condition to the Town Clerk within thirty (30) days after bid security after bid security has been returned to him. Equipment manufacturers, contractors, subcontractors, and others who do not submit formal proposals to the Town will be refunded one-half the amount of the deposit for all sets of complete documents returned in good condition to the Town Clerk within thirty (30) days after the opening of the bids. No refund will be made to non bidders or for documents received after this thirty (30) day period.

Each proposal must be accompanied by a Certified Check, payable to the Town of Lancaster, or bid bond, having as surety thereon a surety company acceptable to the Town Attorney, kn the amount not less than five percent of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute any such further security as may be required for the faithful performance of the contract.

All bids shall be submitted in sealed envelopes addressed to the Town of Lancaster and shall be plainly marked on the outside with the Contractor's name and the title of his bid.

The Town reserves the right to waive any informalities in and to reject any or all bids submitted.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the State Industrial Commissioner.

A Non-Collusive Bidding Certificate must accompany all bids.

No Bidder may withdraw his bid within thirty (30) days after date of opening, but may withdraw same at any time prior to the scheduled time for the opening of bids.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, CRACKER BARREL OLD COUNTRY STORE, has submitted a Site Plan dated April 4, 1996, for the construction of a Restaurant to be located on the East Side of Transit Road, North of the New York State Thruway (6643 Transit Road - Ramada Inn Property), in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by memo dated April 29, 1996, recommended approval, and

WHEREAS, the project has been reviewed under the SEQR Regulations and an environmental review was held on Monday, May 20, 1996;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Cracker Barrel Old Country Store for the construction of a restaurant to be located on the East Side of Transit Road, North of the New York State Thruway, (6643 Transit Road-Ramada Inn Property), in the Town of Lancaster in accordance with plans prepared by Hillman & Miley, Consulting Engineers of White Plains, New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION SECONDED BY
COUNCIL MEMBER MILLER, TO WIT:

WHEREAS, SWIFT RIVER ASSOCIATES, INC., at Frey Concrete, Inc., has submitted a Site Plan dated May 4, 1996, for the installation of portable concrete crushing/recycling equipment to be located on Frey Concrete Property on Pavement Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and recommended approval of same at its meeting on May 15, 1996, and

WHEREAS, the project has been reviewed under the SEQR Regulations and it has been determined that this project is a Type II Action, and as such, no further SEQR review is necessary;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Swift River Associates, Inc., for the installation of portable concrete crushing/recycling equipment to be located on Frey Concrete, Inc. property on Pavement Road in the Town of Lancaster in accordance with plans prepared by Kenneth H. Rawe, Jr., P.E., dated May 4, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

THE FOLLOWING RESOLUTION WAS OFFERED Page 443
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 7993 Claim No. 8229 Inclusive

Total amount hereby authorized to be paid: \$578,852.66

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK , WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby
 approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
 waived for this permit.

(CSW) = Conditional sidewalk waiver.

<u>No.</u>	<u>Code Structure</u>	<u>Applicant</u>	<u>Street Address</u>
3315	Dennis Hart	342 Schwartz Rd	Dem. 3 Bldgs
3316	Russell Licata	1043 Ransom Rd	Er. Garage
3317	Marrano/Marc Equity	13 Butler Dr	Er. Sin. Dwlg
3318	Marrano/Marc Equity	48 Bentley Cir	Er. Sin. Dwlg
3319	Marrano/Marc Equity	12 Bentley Cir	Er. Sin. Dwlg
3320	Marrano/Marc Equity	6 Bentley Cir	Er. Sin. Dwlg
3321	Donato Developers Inc	61 Newberry Ln	Er. Sin. Dwlg
3322	Donato Developers Inc	59 Newberry Ln	Er. Sin. Dwlg
3323	Majestic Pools Inc	78 Old Post Rd	Er. Fence/Pool
3324	Majestic Pools Inc	25 Sagebrush Ln	Er. Fence/Pool
3325	David C Filipski	106 Stony Brook Dr	Repair Ice/Water Damage
3326	Michael P Meinzer	16 Tanglewood Dr	Er. Pool
3327	Jason C Weldy Sr	18 Butler Dr	Er. Shed
3328	John Zaenglein	60 Stony Rd	Ex. Sin. Dwlg
3329	Kenneth Kumiega	7 Pinetree Dr	Er. Fence
3330	Karen Roncone	110 Pavement Rd	Er. Fence
3331	Philip Mendola	5 Farmingdale Ct	Er. Deck
3332	Ron Kazmierczak	5011 William St	Er. Porch
3333	Annette Brinzo	3 Ravenwood Dr	Er. Fence
3334	Karen Liebler	3966 Walden Ave	Er. Shed
3335	Blaser Plumbing	3 Birchwood Comm	Repair Bubbler
3336	Thomas O'Brien	13 Signal Dr	Er. Shed
3337	Daniel Theilman	37 Heritage Dr	Er. Deck/Pool
3338	Philip M Mendola	5 Farmingdale Ct	Er. Pool
3339	Daniel Domanowski	12 Cambridge Ct	Er. Deck
3340	Paul DeBergalis	47 Hidden Trail	Er. Deck/Pool
3341	Anthony Franjoine	2 Old Post Rd	Er. Fence

3342	Charles Batterson	23 Old Post Rd	Er. Fence
3343	Jill Sage	19 Ravenwood Dr	Er. Pool
3344	Al Brzoskowski	256 Westwood Rd	Alter Sin. Dwlg
3345	Lynne Zack	29 Charlton Pl	Er. Shed
3346	Mr/Mrs Peter Hake	132 Cemetery Rd	Er. Pool
3347	David Daddario	19 Old Post Rd	Ex. Sin. Dwlg
3348	Majestic Pools Inc	23 Sagebrush Ln	Er. Fence/Pool
3349	Charles Arcovio & W	98 Pheasant Run Ln	Er. Pool
3350	Paul Bannochie	336 Lake Ave	Er. Fence
3351	Michael Fitzpatrick	45 Old Post Rd	Er. Fence
3352	M Metz	35 Old Post Rd	Er. Fence
3353	Janice Buczek	7 Parkdale Dr	Er. Pool
3354	Mark Merlino	21 Southpoint Dr	Er. Fence
3355	James Ferrel	59 Kennedy Ct	Er. Shed
3356	Paul/Pat Schiffler	43 Lake Fst Pkwy E	Er. Porch
3357	Ryan Homes Inc	372 Lake Ave	Er. Sin. Dwlg
3358	M J Ogiony Bldrs	371 Erie St	Er. Sin. Dwlg
3359	Sunrise Bldrs Inc	102 Newberry Ln	Er. Sin. Dwlg
3360	Sunrise Bldrs Inc	6 Hunters Dr	Er. Sin. Dwlg
3361	Classic Tan Plus	4779 Transit Rd	Er. Temp. Sign
3362	Distinctive Deck Const	46 Lake Fst Pkwy E	Er. Covered Patio
3363	Kevin Smith	144 Brunck Rd	Er. Garage
3364	Woodbridge Homes Inc	29 Quail Run Ln	Er. Sin. Dwlg
3365	John Trojanowsky	1 Via Donato W	Er. Fence
3366	Alan & Karen Malke	310 Broezel Ave	Er. Shed
3367 (SW)	Wiesia Abczynski	57 Westwood Rd	Er. Sin. Dwlg
3368	VOID		
3369	Stratford Homes Inc	15 Michael Anthony	Er. Sin. Dwlg
3370	Palma Nemeth	49 Gale Dr	Er. Fence
3371	Jeff Nowak	25 Hillside Pkwy	Er. Fence
3372	VSI	86 Gunnville Rd	Alt. Office Bldg
3373	Barb Youchum	3609 Bowen Rd	Er. Pool
3374	Mark Valentino	24 Country Pl	Er. Pool

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION. SECONDED BY COUNCIL
MEMBER MILLER TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, by resolution dated May 6, 1996 appointed seasonal employees for the summer of 1996 in the Parks and Recreation Department of the Town of Lancaster, and

WHEREAS, certain individuals were inadvertently omitted from said resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board resolution dated May 6, 1996, be and is hereby amended by adding the following individuals to positions of seasonal employees for the summer of 1996 in the Parks and Recreation Department of the Town of Lancaster at the following hourly rates as specified:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Mary Ellen Collins (rehire) 56 Christen Court Lancaster, New York 14086	Lifeguard Substitute	\$5.75 hr.
Megan Dwan (rehire) 63 Lombardy Street Lancaster, New York 14086	Pool Supervisor	\$7.50 hr.
Michael Dwan (rehire) 63 Lombardy Street Lancaster, New York 14086	Lifeguard	\$5.50 hr.
Eric Fraas (rehire) 12 Idlebrook Court Lancaster, New York 14086	Lifeguard	\$5.75 hr.
Keith Fraas (rehire) 12 Idlebrook Court Lancaster, New York 14086	Lifeguard	\$6.50 hr.
Brandy Helminiak (rehire) 699 Schwartz Road Lancaster, New York 14086	Pool Supervisor	\$7.50 hr.
Stacy Helminiak (rehire) 699 Schwartz Road Lancaster, New York 14086	Lifeguard	\$5.75 hr.
Janis Jagiello (new hire)	Lifeguard	\$5.25 hr.

Lynn Kraus (new hire) 7 Partridge Walk Lancaster, New York 14086	Lifeguard	\$5.25 hr.
Gretchen Meiler (rehire) 68 Wilkshire Place Lancaster, New York 14086	Pool Supervisor	\$6.75 hr.
Michael Mineo (new hire) 9 Dorchester Court Lancaster, New York 14086	Lifeguard	\$5.25 hr.
Dory Muhitch (rehire) 5 Ashford Place Depew, New York 14043	Lifeguard	\$5.50 hr.
Lisa Palma (new hire) 72 Woodlawn Avenue Lancaster, New York 14086	Lifeguard Substitute	\$5.25 hr.
Joseph Peresan (rehire) 60 Christen Court Lancaster, New York 14086	Lifeguard	\$5.50 hr.
Jill Spisiak (rehire) 58 Pheasant Run Lane Lancaster, New York 14086	Pool Supervisor	\$7.50 hr.
Jason Tamrowski (rehire) 31 Livingston Street Lancaster, New York 14086	Pool Supervisor	\$6.25 hr.
Nicole Babcock 285 Erie Street Lancaster, New York 14086	Lifeguard	\$5.25 hr.
Jeremy Edmiston 73 Holland Avenue Lancaster, New York 14086	Lifeguard Substitute	\$5.25 hr.
Lisa Frank 47 Nichter Road Lancaster, New York 14086	Tennis Instructor	\$6.25 hr.
Adam Mazurkiewicz 31 Albert Drive Lancaster, New York 14086	Laborer	\$5.00 hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

File: rpers.sum

Council Member Miller requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town of Lancaster has heretofore established a Drug Abuse Resistance Education Program with the Lancaster School District, and

WHEREAS, the Town Board has received assurance of participation in State funding by the New York State Office of Alcoholism and Substance Abuse Services through the Lancaster Central School District,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby agrees to enter into an agreement with the Lancaster Central School District for the provisions of the D.A.R.E. Program in the amount of \$25,625.00 for the period April 1, 1996 through September 30, 1996.

2. That the Supervisor be and hereby is authorized and directed to sign an Agreement to participate in the D.A.R.E. Program, and said Agreement to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster and the Lancaster Central School District.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996
File: RSTATE.DAR

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR , TO WIT:

WHEREAS, the Town Board has given due review and consideration to the contract negotiations with the CSEA Highway Department bargaining unit, and

WHEREAS, the Town Attorney and Town Labor Consultant have spent significant time on the negotiations and have recommended approval of the proposed settlement reached with the bargaining unit, and

WHEREAS, the Town Board deems it in the public interest to resolve the contract negotiations for the agreement with the Highway Unit for a three-year period commencing January 1, 1996 to December 31, 1998;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby ratifies and approves the settlement terms for economic improvements as have been presented by the Town Labor Consultant and Town Attorney for the CSEA Highway Unit retroactive to January 1, 1996 and for a three-year term to end December 31, 1998.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

May 20, 1996

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER, TO WIT:**

WHEREAS, the Building Inspector of the Town of Lancaster, by letter dated May 20, 1996, has recommended the appointment of **WILLIAM T. REVELAS** to the part time, temporary, position of fire inspector, for the period May 20, 1996 through December 31, 1996 in the Building Inspector's Office of the Town of Lancaster, and

WHEREAS, by same letter, the Building Inspector of the Town of Lancaster has recommended the appointment of **MICHAEL OVERHOFF** to the part time, temporary, position of building and zoning inspector, for the period May 20, 1996 through September 13, 1996 in the Building Inspector's Office of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that **WILLIAM T. REVELAS**, 12 Plumb Creek Trail, Lancaster, New York 14086, be and is hereby appointed, to the part time, temporary, position of fire inspector, for the period May 20, 1996 through December 31, 1996 in the Building Inspector's Office of the Town of Lancaster, at an hourly rate of \$10.50 per hour, not to exceed nineteen hours per week, with no benefits, and

BE IT FURTHER

RESOLVED, that **MICHAEL OVERHOFF**, 54 Pardee Avenue, Lancaster, New York 14086, be and is hereby appointed, to the part time, temporary, position of building and zoning inspector, for the period May 20, 1996 through September 13, 1996 in the Building Inspector's Office of the Town of Lancaster, at an hourly rate of \$7.00 per hour, not to exceed nineteen hours per week, with no benefits, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 20, 1996

COMMUNICATIONS

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357. Receiver of Taxes to Town Board
Transmittal of 1996 County/Tax Warrant. **DISPOSITION:** Received and Filed
358. Town Clerk to Planning Board Chair.
Transmittal of rezone petition of Bella Vista Group - theater complex - south of William St., east of Transit Rd. **DISPOSITION:** Received and Filed
359. Town Line Fire Dept. To Planning Board Chair.
Comments re: Como Village townhouse site plan. **DISPOSITION:** Public Safety Committee and Planning Committee
360. Dir. Of Admin and Finance to Town Board
Advisement re: audit cost reimbursement of IAP Project - Walden/Pavement. **DISPOSITION:** Received and Filed
361. Pres./Chairman of Senior Citizens Board to Supervisor
Expression of appreciation for participation in dedication of sign at Senior Center. **DISPOSITION:** Received and Filed
362. Clough, Harbour & Assoc. to Nussbauer & Clarke
Request for submittal of unapproved improvement plans to State Route 33 and County Route 288 - Tops Distribution Center. **DISPOSITION:** Received and Filed
363. Good Earth Organics to C.I.D. Refuse Service
Notification of acceptance of yard. **DISPOSITION:** Received and Filed
364. BFI to Town Board
Quarterly report for 1/1/96-3/31/96. **DISPOSITION:** Received and Filed
365. County Executive to Supervisor
Notice of referral of letter concerning William St. to Dep. Comm. Of Highways. **DISPOSITION:** Received and Filed
366. Wayne J. Colton, 225 Warner Rd., to Town Board
Request placement of stop sign at intersection of Warner And Greenbrier. **DISPOSITION:** Public Safety Committee, Police Chief
367. Charles/Jackie Morgante to Building Inspector -
Comments re: structure situate at 135 Pleasant View Dr. **DISPOSITION:** Planning Committee, Building Inspector
368. Receiver of Taxes to Town Board
Request permission to attend Annual Seminar for Tax Collecting Officers at Lake George from 6/9-12/96. **DISPOSITION:** Received and Filed
369. LIDA Chairman to Various Officials
Notice of public hearing to be held 5/23/96 re: second phase of Italian Gardens Real Estate Corp. Project. and an addition to existing facility of Markar Products, Inc. **DISPOSITION:** Received and Filed
370. NYS Assessment Services to Supervisor
Comments re: 1996 Tentative Special Franchise Assessments. **DISPOSITION:** Received and Filed
371. Town Clerk to Various Newspapers
Notice of SEQR Review Meeting 5/20/96 re: review of site plans for the Cracker Barrel, the rezone petition of Edward Lewis for property situate on the north side of Broadway, and the rezone petition of Randall Benderson 1993-1 for property situate at Transit Road/Wehrle Drive. **DISPOSITION:** Received and Filed
372. Association of EC Governments to Town of Lancaster
Notice of May meeting for 5/23/96. **DISPOSITION:** Received and Filed

373. Clough Harbour & Associates to Thomas Butler, Manager, Nussbaumer & Clarke Inc.
Request for calculations/report for storm water system at Tops Distribution Center.
DISPOSITION: Received and Filed
374. General Crew Chief to Jim Marino
Compliments re: teaching classes to seniors at Lancaster Senior Center.
DISPOSITION: Received and Filed
375. P.B.A. President to Supervisor
Notice of filing for mediation on the item of residency denied by Town Board.
DISPOSITION: Received and Filed
376. Wendel to Town Board
Transmittal of Minutes of 5/2/96 re: Lancaster Youth Bureau construction progress.
DISPOSITION: Received and Filed
377. Director of Administration and Finance to Town Board
Request to authorize the Town's participation in CLASS. **DISPOSITION:** Received and Filed
378. Supervisor to Town Board
Request for temporary employee while Senior Clerk Stenographer in Supervisor's office is on vacation. **DISPOSITION:** Received and Filed
379. Town Clerk to Various Newspapers
Notice of meeting time correction for SEQR Review Meeting for 5/20/96.
DISPOSITION: Received and Filed
380. Town Justices to Supervisor
Request appointment of Adrienne Graber to Clerk Typist eff. 5/20/96
DISPOSITION: Received and Filed
381. Town Engineer to Town Board
Request for full time inspector on a temporary basis. **DISPOSITION:** Received and Filed
382. Planning Board to Town Board
Minutes of meeting of 5/15/96. **DISPOSITION:** Received and Filed
383. Planning Board To Town Board
Recommends approval of site plan for Swift River Associates. **DISPOSITION:** Received and Filed
384. Planning Board to Town Board
Recommends approval of site plan for Markar Products. **DISPOSITION:** Received and Filed
385. Town Line Fire Department to Town Board
Request membership addition. **DISPOSITION:** Received and Filed
386. NYSDOT to Deputy Town Attorney
Conclusions and comments re: Cracker Barrel Old Country Store.
DISPOSITION: Received and Filed
387. Congressman Quinn to Chief of Police
Comments re: COPS Universal Hiring Program application.
DISPOSITION: Received and Filed
388. Chief of Police to US Dept. of Justice
Request grant monies to fund two police officers' salaries for 1996. **DISPOSITION:** Received and Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER KWAK , AND SECONDED BY THE
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 11:45 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk